

MINUTES
Cecil Township Board of Supervisors Meeting
Tuesday, September 8, 2015
7:00 PM

CALL TO ORDER:

The Tuesday, September 8, 2015, Board of Supervisors' Regular Monthly Meeting was called to order at 7:00 PM by Board Chairman Thomas Casciola.

Members in attendance included:

- Supervisor Thomas Casciola
- Supervisor Cindy Fisher
- Supervisor Andrew Schrader
- Supervisor Elizabeth Cowden
- Supervisor D. J. Johnson

In addition:

- Donald A. Gennuso, Township Manager
- Police Chief Shawn Bukovinsky
- Bruce Bosle, Director of Zoning
- Township Solicitor, Christopher Voltz
- Engineer Dan Deiseroth of The Gateway Engineers
- 40 Township Residents
- Bill Bottorff, Director of Public Works

Comments will be taken at this time for any item to be voted on by the Board that appears on the agenda. General Township comments or questions will be addressed after Board of Supervisors' Discussion of Old Business. **PLEASE STEP TO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.**

CITIZENS' COMMENTS ON AGENDA ITEMS:

There were no Citizens' Comments on the Agenda Items.

ANNOUNCEMENTS:

- The Cecil Township Historical Society will meet on **the third Wednesday**, September 16, 2015, at 7:00 PM in the meeting room of the Cecil Township Municipal Building.
- Sunday, September 13, "Back to School" Bingo – Sponsored by Ladies Auxiliary of Cecil VFC #3 Fire Hall, Route 50, Cecil – Doors open at 11:00 am – Early Birds start at 1:00 pm with Regular Bingos immediately following. Tickets are \$20. Must be 18 years or older to attend.

ANNOUNCEMENTS: (continued)

- Cecil Township 28th Annual Fall Festival – Saturday and Sunday, September 26 and 27. Saturday 11:00 am to 7:30 pm and Sunday 10:30 am to 6:30 pm.
- Saturday, October 10, Muse & Cecil VFC Cash Bash at Cecil VFC #3 Fire Hall, Route 50, Cecil – Doors open at 5:00 pm. Tickets are \$20.

RESOLUTIONS:

#161-2015 MOTION AND A SECOND TO APPROVE APPLICATION FOR PAYMENT #2 FOR THE 2015 PAVEMENT MAINTENANCE PROGRAM CONTRACT B FOR WORK COMPLETED TO DATE BY YOUNGBLOOD PAVING IN THE AMOUNT OF \$85,973.08.

ALL FIVE (5) BOARD MEMBERS IN ATTENDANCE VOTED AYE.

#162-2015 MOTION AND A SECOND TO APPROVE APPLICATION FOR PAYMENT #1 FOR THE 2015 PAVEMENT MAINTENANCE PROGRAM CONTRACT A FOR WORK COMPLETED TO DATE BY YOUNGBLOOD PAVING IN THE AMOUNT OF \$147,112.97.

ALL FIVE (5) BOARD MEMBERS IN ATTENDANCE VOTED AYE.

#163-2015 MOTION AND A SECOND TO APPROVE APPLICATION FOR PAYMENT #1 FOR WORK COMPLETED TO DATE FOR WINDSOR WOODS PHASE 3 BOND WORK BY STEWART CONTRACTING IN THE AMOUNT OF \$20,306.25.

ALL FIVE (5) BOARD MEMBERS IN ATTENDANCE VOTED AYE.

#164-2015 MOTION AND A SECOND TO APPROVE THE RELEASE OF FUNDS RELATED TO INSTALLATION OF PUBLIC IMPROVEMENTS FOR RIDGEWOOD HEIGHTS SECTION 5R FROM \$750,558.77 TO \$629,699.40, A TOTAL REDUCTION OF \$120,859.37, AS RECOMMENDED BY THE TOWNSHIP ENGINEER.

ALL FIVE (5) BOARD MEMBERS IN ATTENDANCE VOTED AYE.

#165-2015 MOTION AND A SECOND TO APPROVE THE REZONING REQUEST OF NVR, INC. FOR APPLICATION #2015-008, REGARDING THE CHANGE OF ZONING USE CLASSIFICATION FROM R-1 LOW DENSITY RESIDENTIAL ZONING DISTRICT TO R-2 MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT, SITUATED ALONG McCONNELL ROAD. PARCEL ID #140-006-00-00-0049-00 AND #140-006-00-00-0061-00.

CHAIRMAN CASCTIOLA REQUESTED A ROLL CALL VOTE.

SUPERVISOR JOHNSON VOTED NO

SUPERVISOR COWDEN VOTED YES

SUPERVISOR SCHRADER VOTED YES

SUPERVISOR FISHER VOTED YES

SUPERVISOR CASCIOLA VOTED NO

MOTION CARRIED WITH THREE (3) OF THE FIVE (5) BOARD MEMBERS VOTING YES.

RESOLUTIONS: (continued)

**#166-2015 MOTION AND A SECOND TO APPROVE THE CONDITIONAL USE APPLICATION #2015-0013 – AT&T WIRELESS COMMUNICATION FACILITY, LOCATED AT 4600 J BARRY COURT WITHIN SOUTHPOINTE, SD ZONING DISTRICT. APPLICANT: STRATEGIS LLC., 2530 SUPERIOR AVENUE, CLEVELAND, OHIO / AGENT FOR AT&T WIRELESS.
ALL FIVE (5) BOARD MEMBERS IN ATTENDANCE VOTED AYE.**

#167-2015 MOTION AND A SECOND TO ADOPT AN ORDINANCE DELETING & REPLACING PART 17 OF THE UNIFIED DEVELOPMENT ORDINANCE, “FLOOD PLAIN MANAGEMENT”, REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES, AND CORPORATIONS TO OBTAIN A PERMIT WITHIN AREAS OF THE TOWNSHIP WHICH ARE SUBJECT TO FLOODING AND PROVIDING FOR THE IDENTIFICATION OF FLOOD PLAIN AREAS IN ACCORDANCE WITH FEMA REQUIREMENTS AND THE NEW FLOOD INSURANCE MAPS.

Township Solicitor Chris Voltz explained this is a model ordinance that is free standing and is not part of the Unified Development Ordinance.

ALL FIVE (5) BOARD MEMBERS IN ATTENDANCE VOTED AYE.

**#168-2015 MOTION AND A SECOND TO SET SATURDAY, OCTOBER 31, 2015, FROM 6:00 PM TO 7:30 PM AS THE DATE AND TIME FOR TRICK OR TREAT IN CECIL TOWNSHIP.
ALL FIVE (5) BOARD MEMBERS IN ATTENDANCE VOTED AYE.**

#169-2015 MOTION AND A SECOND TO APPROVE A LETTER OF SUPPORT FOR A LSA GRANT APPLIED FOR BY THE MONTOUR TRAIL ASSOCIATION FOR THE SOUTHPOINTE CONNECTOR.

Supervisor Schrader explained the three phases and noted the grant is due October 1 and it will be written by the Montour Trail Association. Supervisor Cowden inquired about another grant for water for Coleman Road. Chairman Casciola noted that one grant application does not eliminate another grant. Supervisor Cowden noted she would vote yes based upon this information.

ALL FIVE (5) BOARD MEMBERS IN ATTENDANCE VOTED AYE.

**#170-2015 MOTION AND A SECOND TO APPROVE THE BOARD OF SUPERVISORS’ MINUTES FROM THE REGULAR MONTHLY MEETING OF MONDAY, AUGUST 3, 2015.
ALL FIVE (5) BOARD MEMBERS IN ATTENDANCE VOTED AYE.**

**#171-2015 MOTION AND A SECOND TO APPROVE THE GENERAL FUND INVOICES FROM AUGUST 1 THROUGH AUGUST 31, 2015.
FOUR (4) OF THE FIVE (5) BOARD MEMBERS IN ATTENDANCE VOTED AYE.
SUPERVISOR COWDEN VOTED NO.**

ADMINISTRATIVE REPORTS:

AT THIS TIME, PUBLIC WORKS DIRECTOR BILL BOTTORFF NOTED:

- The MS4 Audit this past Friday and they are awaiting a determination of compliance
- A recap of his previously submitted written report

AT THIS TIME, ENGINEER DAN DEISEROTH NOTED:

- An addition to the agenda:

#172-2015 MOTION AND A SECOND FOR A PARTIAL REDUCTION OF FUNDS FOR THE HEIRENDT PLAN OF LOTS IN THE AMOUNT OF \$14,750 CONTINGENT UPON INSPECTION OF THE TOWNSHIP ENGINEER. AN AMOUNT OF \$9,430.20 WILL REMAIN FOR COMPLETING THE PUNCH LIST.

ALL FIVE (5) BOARD MEMBERS IN ATTENDANCE VOTED AYE.

- Mr. Deiseroth gave a summary of the MS4 Permit & explained the purpose of the audit
 - The intent is for the DEP to understand the efforts the Township has conducted over the past 10+ years regarding MS4 permit compliance. The DEP will not assess fines and penalties based on the audit as they were there to help and guide the Township. This is the first real attempt at enforcement of the permit by the regulators. There was mention that the EPA is also conducting random audits in central PA but they are expected to move into western PA at some point. These audits are conducted by a third party and are much more likely to issue fines and penalties for non-compliance.
 - Upon a review of the Township's MS4 efforts, they provided recommendations on additional items to implement for purposes of increased compliance.
 - The following sites were visited by the DEP and provided insight for additional pollution prevention techniques: Public Works facility, Klinger Park, and Southpointe salt storage.

AT THIS TIME, TOWNSHIP SOLICITOR, ATTORNEY CHRIS VOLTZ GAVE AN UPDATE ON PENDING LITIGATION.

NEW BUSINESS:

Supervisor Cowden inquired as to the status of lapel microphones. There was discussion regarding the microphones.

#173-2015 MOTION AND A SECOND TO RENT LAPEL MICROPHONES BEFORE PURCHASING THEM.

**FOUR (4) OF THE FIVE (5) BOARD MEMBERS IN ATTENDANCE VOTED AYE.
SUPERVISOR COWDEN VOTED NO.**

NEW BUSINESS: (continued)

#174-2015 MOTION BY ELIZABETH COWDEN TO CHANGE THE TIME FOR CITIZENS' COMMENTS ON THE AGENDA TO 7:00 PM TO 7:30 PM.

MOTION DIES FOR LACK OF A SECOND

There was discussion regarding Coleman Road:

- City water for as much of the road as possible; however, not to fix the road and then dig it up for waterlines
 - Supervisor Cowden noted she spoke with the OCA who was involved in the public water being brought to SR980 residents
 - A meeting was suggested with the residents of Coleman Road within the next week or two regarding the condition of their wells or springs
- To do the road work correctly in stages

Supervisor Cowden noted to Bill Bottorff the potholes on Profio Road. Mr. Bottorff addressed her comment noting Public Works will be out to do the repairs.

- Engineer Joe Sites gave an update of the work already performed on Coleman Road.

There was discussion regarding:

- A Fire Alarm Ordinance for Commercial Structures and a mobilization fee. Township Solicitor Voltz will pull some ordinances from other municipalities.
- A five (5) member Board of Appeals for Property Maintenance Ordinances on a case by case basis.
 - Supervisor Cowden noted she is willing to sit on this Board.
- The hiring of several people at the last meeting without advertising for the positions.

#175-2015 MOTION AND A SECOND TO WRITE A POLICY THAT IS APPROVED FOR THE HIRING OF PERSONNEL.

ALL FIVE (5) BOARD MEMBERS IN ATTENDANCE VOTED AYE.

Resident Robert Arista addressed the Board regarding blighted homes/properties situated in Muse. He recapped the works of a committee that was formed in 2001 by resident Linda Tonelli and consisted of 20 – 30 people. Mr. Arista noted he submitted a recent list of places that were neglected. Supervisor Fisher noted they are in the process of hiring a Code Enforcement Officer to address these concerns.

MOTION AND A SECOND TO HIRE FROM THE EXISTING POOL OF APPLICANTS, MR. MICHAEL BEHRENS, AS CODE ENFORCEMENT OFFICER FOR A NINE (9) MONTH PROBATIONARY PERIOD.

This personnel item will be discussed in an Executive Session.

NEW BUSINESS: (continued)

Resident Judy Bowser addressed the Board regarding potholes on Profio Road. Bill Bottorff responded to her inquiry noting the rainy weather put them behind on their schedule.

Resident Bruce Gasvoda addressed the Board regarding the Township's hiring practice noting the positions should be advertised and a resident, if qualified, should be considered. Additionally, he addressed the Board regarding fixing Coleman Road.

Resident Eric Sivavic of 211 Georgetown Road addressed the Board regarding item #166-2015 and inquired as to the location of the antenna and its height.

Resident Robert Arista addressed the Board regarding his support of the post office in Muse and to keep the town of Muse with the current zip code.

Resident Ralph Ciotti of 109 Georgetown Road addressed the Board regarding public water and information he received about installation. There was discussion regarding the tax law and assessment on private roads. Township Solicitor Chris Voltz was directed to look into the matter. Additionally, Mr. Ciotti commented on:

- the fire hydrant at the end of Ciotti Lane that was eliminated
- inquired as to how to get the speed limit lowered on Georgetown Road

Resident Joe Petito of Sunset Drive addressed the Board regarding the condition of Reissing Road. Mr. Gennuso noted that PennDOT is aware of the condition and they categorize according to worse condition. Supervisor Fisher advised to contact the local government representatives.

Resident Toni Zombeck addressed the Board regarding the status of the flashing lights @ O'Hare and SR980. Mr. Deiseroth noted they are in the process of obtaining easements and the documents will be supplied to the residents this week.

Resident and Parks & Recreation Board member Kathy Mikulski expressed her thanks to Chief Bukovinsky for his department's assistance in hanging the banners for the Fall Festival. Additionally, she requested the Board's approval for an inside hand washing sink in the front of the concession stand.

#176-2015 MOTION AND A SECOND TO OBTAIN TWO (2) ESTIMATES FROM PLUMBERS, NOT TO EXCEED \$1,500, FOR A HAND WASHING SINK, INCLUDING INSTALLATION, FOR THE CONCESSION STAND.

ALL FIVE (5) BOARD MEMBERS IN ATTENDANCE VOTED AYE.

Additionally, Mrs. Mikulski requested to purchase a stove and oven for the concession stand from the Checca Fund. Supervisor Schrader advised to check through the Co-Stars purchasing program and give the information to Mr. Gennuso.

NEW BUSINESS: (continued)

Resident Raymond Leonard of 10 Antil Avenue addressed the Board regarding the water that is still flowing onto his property. Dan Deiseroth noted the creek in front of the residence is an active creek. There was discussion of a watershed. Mr. Gennuso is to look into the matter tomorrow.

AT THIS TIME 9:15 PM, THE BOARD WENT INTO AN EXECUTIVE SESSION TO DISCUSS THE PENDING MOTION OF A PERSONNEL MATTER TO HIRE A CODE ENFORCEMENT OFFICER AND PROPERTY ACQUISITION.

THE BOARD RETURNED FROM THEIR EXECUTIVE SESSION AT 10:28 PM AND NOTED DISCUSSION ON THE PENDING MOTION, THE HOFRICHTER AND MUSE PROPERTIES, AND PENDING LAWSUITS.

#177-2015 MOTION AND A SECOND TO HIRE FROM THE EXISTING POOL OF APPLICANTS, MR. MICHAEL BEHRENS, AS CODE ENFORCEMENT OFFICER FOR A NINE (9) MONTH PROBATIONARY PERIOD.

**FOUR (4) OF THE FIVE (5) BOARD MEMBERS IN ATTENDANCE VOTED AYE.
SUPERVISOR COWDEN VOTED NO.**

ADJOURNMENT:

With no further business to come before the Board, the meeting was adjourned at 10:31 PM.